

CLASS II AIR QUALITY PERMIT

DRAFT PERMIT No. 82755

PERMITTEE: Musket Corporation
FACILITY: Kingman Bulk Terminal
PLACE ID: 16102
DATE ISSUED: Draft
EXPIRY DATE: Draft

SUMMARY

This Class II air quality permit is issued to Musket Corporation, the Permittee, for the continued operation of the Kingman Bulk Terminal. The facility is located at 4400 Industrial Boulevard, Kingman, Mohave County, Arizona 86401. This permit renews and supersedes Permit # 63257.

The facility stores and handles diesel, biodiesel, Jet-A fuel, isobutanol, and denatured ethanol products received by rail tank cars. Each 30,000-gallon tank car delivers approximately 27,500 gallons of product.

The facility transloads up to 450 million gallons of diesel fuel and 76.7 million gallons of Jet A fuel per year, from railroad tanker cars to tanker trucks without storing in tanks, using a diesel powered transloader pump.

The facility handles up to 76.7 million gallons per year of biodiesel. Biodiesel is unloaded into a 30,000 barrel fixed roof storage tank and then loaded via a bulk loading rack to tank trucks for distribution.

The facility handles up to 200 million gallons per year of food grade and non-food grade denatured ethanol. Food grade denatured ethanol is transloaded from railcars into tanker trucks using a mobile transloader and taken offsite. Non-food grade denatured ethanol is unloaded into a 20,000 barrel internal floating roof tank and then loaded via a bulk loading rack to tank trucks for distribution. For operational flexibility, the facility is permitted to use the internal floating roof storage tank for storing diesel, if required. A mobile transloader is used to transfer up to 1.5 million gallons per year of isobutanol from railcars to tanker trucks that contain gasoline. The blended product is taken off-site. All vapors from loading of denatured ethanol and blending the isobutanol with the gasoline at the terminal is routed to the vapor combustion unit (air assisted flare) currently located at the facility.

The uncontrolled emissions from this facility are greater than the significance levels identified in A.A.C. R18-2-101.131. Therefore, a class II permit is required for this facility in accordance with A.A.C. R18-2-302.B.2.a.

This permit is issued in accordance with Arizona Revised Statutes (ARS) 49-426. It contains requirements from Title 18, Chapter 2 of the A.A.C. and Title 40 of the Code of Federal Regulations. All definitions, terms, and Conditions used in this permit conform to those in the Arizona Administrative Code R18-2-101 et. seq. (A.A.C.) and Title 40 of the Code of Federal Regulations (CFR), except as otherwise defined in this permit.

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ATTACHMENT "A": GENERAL PROVISIONS

I. PERMIT EXPIRATION AND RENEWAL

- A.** This permit is valid for a period of five (5) years from the date of issuance.
[ARS § 49-426.F, A.A.C. R18-2-306.A.1]
- B.** The Permittee shall submit an application for renewal of this permit at least six (6) months, but not more than eighteen (18) months, prior to the date of permit expiration.
[A.A.C. R18-2-304.D.2]

II. COMPLIANCE WITH PERMIT CONDITIONS

- A.** The Permittee shall comply with all Conditions of this permit including all applicable requirements of the Arizona Revised Statutes (A.R.S.) Title 49, Chapter 3, and the air quality rules under Title 18, Chapter 2 of the Arizona Administrative Code. Any permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application. In addition, noncompliance with any federally enforceable requirement constitutes a violation of the Clean Air Act.
[A.A.C. R18-2-306.A.8.a]
- B.** It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the Conditions of this permit.
[A.A.C. R18-2-306.A.8.b]

III. PERMIT REVISION, REOPENING, REVOCATION AND REISSUANCE, OR TERMINATION FOR CAUSE

- A.** The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit Condition.
[A.A.C. R18-2-306.A.8.c]
- B.** The permit shall be reopened and revised under any of the following circumstances:
1. The Director or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or Conditions of the permit; and
[A.A.C. R18-2-321.A.1.c]
 2. The Director or the Administrator determines that the permit needs to be revised or revoked to assure compliance with the applicable requirements.
[A.A.C. R18-2-321.A.1.d]
- C.** Proceedings to reopen and issue a permit, including appeal of any final action relating to a permit reopening, shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening

shall be made as expeditiously as practicable. Permit reopenings shall not result in a resetting of the five-year permit term.

[A.A.C. R18-2-321.A.2]

IV. POSTING OF PERMIT

- A.** The Permittee shall post this permit or a certificate of permit issuance on location where the equipment is installed in such a manner as to be clearly visible and accessible. All equipment covered by this permit shall be clearly marked with one of the following:

[A.A.C. R18-2-315.A]

1. Current permit number; or
2. Serial number or other equipment ID number that is also listed in the permit to identify that piece of equipment.

- B.** A copy of the complete permit shall be kept on site.

[A.A.C. R18-2-315.B]

V. FEE PAYMENT

The Permittee shall pay fees to the Director pursuant to ARS § 49-426(E) and A.A.C. R18-2-326.

[A.A.C. R18-2-306.A.9 and -326]

VI. ANNUAL EMISSION INVENTORY QUESTIONNAIRE

- A.** The Permittee shall complete and submit to the Director an annual emissions inventory questionnaire. The questionnaire is due by March 31st or ninety (90) days after the Director makes the inventory form available each year, whichever occurs later, and shall include emission information for the previous calendar year.

[A.A.C. R18-2-327.A]

- B.** The questionnaire shall be on a form provided by the Director and shall include the information required by A.A.C. R18-2-327.B.

[A.A.C. R18-2-327.B]

VII. COMPLIANCE CERTIFICATION

- A.** The Permittee shall submit a compliance certification to the Director annually which describes the compliance status of the source with respect to each permit Condition. The certification shall be submitted no later than March 15th, and shall report the compliance status of the source during the period between February 1st of the previous year and January 31st of the current year.

[A.A.C. R18-2-309.2.a]

- B.** The compliance certifications shall include the following:

1. Identification of each term or Condition of the permit that is the basis of the certification;

[A.A.C. R18-2-309.2.c.i]

2. Identification of the methods or other means used by the Permittee for determining the compliance status with each term and Condition during the certification period;
[A.A.C. R18-2-309.2c.ii]
3. Status of compliance with the terms and Conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certifications shall identify each deviation (including any deviations reported pursuant to Condition XII.B of this Attachment) during the period covered by the certification and take it into account for consideration in the compliance certification
[A.A.C. R18-2-309.2.c.iii]
4. For emission units subject to 40 CFR Part 64, the certification shall also identify as possible exceptions to compliance any period during which compliance is required and in which an excursion or exceedance defined under 40 CFR Part 64 occurred;
[A.A.C. R18-2-309.2.c.iii]
5. Other facts the Director may require in determining the compliance status of the source.
[A.A.C. R18-2-309.2.c.iv]

- C. A progress report on all outstanding compliance schedules shall be submitted every six months beginning six months after permit issuance.
[A.A.C. R18-2-309.5.d]

VIII. CERTIFICATION OF TRUTH, ACCURACY AND COMPLETENESS

Any document required to be submitted by this permit, including reports, shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[A.A.C. R18-2-309.3]

IX. INSPECTION AND ENTRY

Upon presentation of proper credentials, the Permittee shall allow the Director or the authorized representative of the Director to:

- A. Enter upon the Permittee's premises where a source is located, emissions-related activity is conducted, or where records are required to be kept under the Conditions of the permit;
[A.A.C. R18-2-309.4.a]
- B. Have access to and copy, at reasonable times, any records that are required to be kept under the Conditions of the permit;
[A.A.C. R18-2-309.4.b]
- C. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
[A.A.C. R18-2-309.4.c]

D. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
[A.A.C. R18-2-309.4.d]

E. Record any inspection by use of written, electronic, magnetic and photographic media.
[A.A.C. R18-2-309.4.e]

X. PERMIT REVISION PURSUANT TO FEDERAL HAZARDOUS AIR POLLUTANT STANDARD

If this source becomes subject to a standard promulgated by the Administrator pursuant to Section 112(d) of the Act, then the Permittee shall, within twelve months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with the standard.

[A.A.C. R18-2-304.D.3]

XI. ACCIDENTAL RELEASE PROGRAM

If this source becomes subject to the provisions of 40 CFR Part 68, then the Permittee shall comply with these provisions according to the time line specified in 40 CFR Part 68.

[40 CFR Part 68]

XII. EXCESS EMISSIONS, PERMIT DEVIATIONS, AND EMERGENCY REPORTING

A. Excess Emissions Reporting

[A.A.C. R18-2-310.01.A, B, and C]

1. Excess emissions shall be reported as follows:

a. The Permittee shall report to the Director any emissions in excess of the limits established by this permit. Such report shall be in two parts as specified below:

[A.A.C. R18-2-310.01.A]

(1) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions including all available information from Condition XII.A.1.b below.

(2) Detailed written notification by submission of an excess emissions report within 72 hours of the notification pursuant to Condition XII.A.1.a(1) above.

b. The report shall contain the following information:

(1) Identity of each stack or other emission point where the excess emissions occurred;

[A.A.C. R18-2-310.01.B.1]

(2) Magnitude of the excess emissions expressed in the units of the applicable emission limitation and the operating data and

calculations used in determining the magnitude of the excess emissions;

[A.A.C. R18-2-310.01.B.2]

- (3) Time and duration, or expected duration, of the excess emissions;
[A.A.C. R18-2-310.01.B.3]

- (4) Identity of the equipment from which the excess emissions emanated;
[A.A.C. R18-2-310.01.B.4]

- (5) Nature and cause of the emissions;
[A.A.C. R18-2-310.01.B.5]

- (6) If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions;
[A.A.C. R18-2-310.01.B.6]

- (7) Steps that were or are being taken to limit the excess emissions; and
[A.A.C. R18-2-310.01.B.7]

- (8) If the excess emissions resulted from start-up or malfunction, the report shall contain a list of the steps taken to comply with the permit procedures governing source operation during periods of startup or malfunction.
[A.A.C. R18-2-310.01.B.8]

2. In the case of continuous or recurring excess emissions, the notification requirements shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period, or changes in the nature of the emissions as originally reported, shall require additional notification pursuant to Condition XII.A.1 above.
[A.A.C. R18-2-310.01.C]

B. Permit Deviations Reporting

The Permittee shall promptly report deviations from permit requirements, including those attributable to upset Conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the applicable requirement contains a definition of prompt or otherwise specifies a timeframe for reporting deviations, that definition or timeframe shall govern. Where the applicable requirement does not address the timeframe for reporting deviations, the Permittee shall submit reports of deviations according to the following schedule:

1. Notice that complies with Condition XII.A above is prompt for deviations that constitute excess emissions;

[A.A.C. R18-2-306.A.5.b.i]

2. Except as provided in Conditions XII.B.1, prompt notification of all other types of deviations shall be annually, concurrent with the annual compliance certifications required in Section VII, and can be submitted the “Annual/Semiannual Deviation Monitoring Report” form available on the Arizona Department of Environmental Quality Website.

[A.A.C. R18-2-306.A.5.b.ii]

C. Emergency Provision

1. An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, that require immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[A.A.C. R18-2-306.E.1]

2. An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if Condition XII.C.3 below is met.

[A.A.C. R18-2-306.E.2]

3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

[A.A.C. R18-2-306.E.3]

- a. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;

[A.A.C. R18-2-306.E.3.a]

- b. The permitted facility was being properly operated at the time of the emergency;

[A.A.C. R18-2-306.E.3.b]

- c. During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and

[A.A.C. R18-2-306.E.3.c]

- d. The Permittee submitted notice of the emergency to the Director by certified mail, facsimile, or hand delivery within two working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.

[A.A.C. R18-2-306.E.3.d]

4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

[A.A.C. R18-2-306.E.4]

5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[A.A.C. R18-2-306.E.5]

D. Affirmative Defenses for Excess Emissions Due to Malfunctions, Startup, and Shutdown

1. Applicability

A.A.C. R18-2-310 establishes affirmative defenses for certain emissions in excess of an emission standard or limitation and applies to all emission standards or limitations except for standards or limitations:

- a. Promulgated pursuant to Sections 111 or 112 of the Act;
[A.A.C. R18-2-310.A.1]
- b. Promulgated pursuant to Titles IV or VI of the Clean Air Act;
[A.A.C. R18-2-310.A.2]
- c. Contained in any Prevention of Significant Deterioration (PSD) or New Source Review (NSR) permit issued by the U.S. EPA;
[A.A.C. R18-2-310.A.3]
- d. Contained in A.A.C. R18-2-715.F; or
[A.A.C. R18-2-310.A.4]
- e. Included in a permit to meet the requirements of A.A.C. R18-2-406.A.5.
[A.A.C. R18-2-310.A.5]

2. Affirmative Defense for Malfunctions

Emissions in excess of an applicable emission limitation due to malfunction shall constitute a violation. When emissions in excess of an applicable emission limitation are due to a malfunction, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:

[A.A.C. R18-2-310.B]

- a. The excess emissions resulted from a sudden and unavoidable breakdown of process equipment or air pollution control equipment beyond the reasonable control of the Permittee;
[A.A.C. R18-2-310.B.1]
- b. The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
[A.A.C. R18-2-310.B.2]
- c. If repairs were required, the repairs were made in an expeditious fashion when the applicable emission limitations were being exceeded. Off-shift

labor and overtime were utilized where practicable to ensure that the repairs were made as expeditiously as possible. If off-shift labor and overtime were not utilized, the Permittee satisfactorily demonstrated that the measures were impracticable;

[A.A.C. R18-2-310.B.3]

- d. The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;

[A.A.C. R18-2-310.B.4]

- e. All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;

[A.A.C. R18-2-310.B.5]

- f. The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;

[A.A.C. R18-2-310.B.6]

- g. During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;

[A.A.C. R18-2-310.B.7]

- h. The excess emissions did not stem from any activity or event that could have been foreseen and avoided, or planned, and could not have been avoided by better operations and maintenance practices;

[A.A.C. R18-2-310.B.8]

- i. All emissions monitoring systems were kept in operation if at all practicable; and

[A.A.C. R18-2-310.B.9]

- j. The Permittee's actions in response to the excess emissions were documented by contemporaneous records.

[A.A.C. R18-2-310.B.10]

3. Affirmative Defense for Startup and Shutdown

- a. Except as provided in Condition XII.D.3 below, and unless otherwise provided for in the applicable requirement, emissions in excess of an applicable emission limitation due to startup and shutdown shall constitute a violation. When emissions in excess of an applicable emission limitation are due to startup and shutdown, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:

[A.A.C. R18-2-310.C.1]

- (1) The excess emissions could not have been prevented through careful and prudent planning and design;
[A.A.C. R18-2-310.C.1.a]
 - (2) If the excess emissions were the result of a bypass of control equipment, the bypass was unavoidable to prevent loss of life, personal injury, or severe damage to air pollution control equipment, production equipment, or other property;
[A.A.C. R18-2-310.C.1.b]
 - (3) The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
[A.A.C. R18-2-310.C.1.c]
 - (4) The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;
[A.A.C. R18-2-310.C.1.d]
 - (5) All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;
[A.A.C. R18-2-310.C.1.e]
 - (6) During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;
[A.A.C. R18-2-310.C.1.f]
 - (7) All emissions monitoring systems were kept in operation if at all practicable; and
[A.A.C. R18-2-310.C.1.g]
 - (8) Contemporaneous records documented the Permittee's actions in response to the excess emissions.
[A.A.C. R18-2-310.C.1.h]
 - b. If excess emissions occur due to a malfunction during routine startup and shutdown, then those instances shall be treated as other malfunctions subject to Condition XII.D.2 above.
[A.A.C. R18-2-310.C.2]
4. Affirmative Defense for Malfunctions During Scheduled Maintenance
- If excess emissions occur due to a malfunction during scheduled maintenance, then those instances will be treated as other malfunctions subject to Condition XII.D.2 above.
[A.A.C. R18-2-310.D]
5. Demonstration of Reasonable and Practicable Measures

For an affirmative defense under Condition XII.D.2 or XII.D.3, the Permittee shall demonstrate, through submission of the data and information required by this Condition XII.D and Condition XII.A.1 above, that all reasonable and practicable measures within the Permittee's control were implemented to prevent the occurrence of the excess emissions.

[A.A.C. R18-2-310.E]

XIII. RECORDKEEPING REQUIREMENTS

- A.** The Permittee shall keep records of all required monitoring information including, but not limited to, the following:
1. The date, place as defined in the permit, and time of sampling or measurements;
[A.A.C. R18-2-306.A.4.a.i]
 2. The date(s) any analyses were performed;
[A.A.C. R18-2-306.A.4.a.ii]
 3. The name of the company or entity that performed the analyses;
[A.A.C. R18-2-306.A.4.a.iii]
 4. A description of the analytical techniques or methods used;
[A.A.C. R18-2-306.A.4.a.iv]
 5. The results of analyses; and
[A.A.C. R18-2-306.A.4.a.v]
 6. The operating Conditions as existing at the time of sampling or measurement.
[A.A.C. R18-2-306.A.4.a.vi]
- B.** The Permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings or other data recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
[A.A.C. R18-2-306.A.4.b]

XIV. REPORTING REQUIREMENTS

The Permittee shall submit the following reports:

- A.** Compliance certifications in accordance with Section VII above.
[A.A.C. R18-2-306.A.5.a]
- B.** Excess emission; permit deviation, and emergency reports in accordance with Section XII above.
[A.A.C. R18-2-306.A.5.b]
- C.** Other reports required by any Condition of Attachment "B".

XV. DUTY TO PROVIDE INFORMATION

- A. The Permittee shall furnish to the Director, within a reasonable time, any information that the Director may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Director copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish an additional copy of such records directly to the Administrator along with a claim of confidentiality.

[A.A.C. R18-2-304.G and -306.A.8.e]

- B. If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

[A.A.C. R18-2-304.H]

XVI. PERMIT AMENDMENT OR REVISION

The Permittee shall apply for a permit amendment or revision for changes to the facility which does not qualify for a facility change without revision under Section XVII below, as follows:

- A. Facility Changes that Require a Permit Revision;
[A.A.C. R18-2-317.01]
- B. Administrative Permit Amendment;
[A.A.C. R18-2-318]
- C. Minor Permit Revision; and
[A.A.C. R18-2-319]
- D. Significant Permit Revision.
[A.A.C. R18-2-320]
- E. The applicability and requirements for such action are defined in the above referenced regulations.

XVII. FACILITY CHANGE WITHOUT A PERMIT REVISION

- A. Except for a physical change or change in the method of operation at a Class II source requiring a permit revision under A.A.C. R18-2-317.01, or a change subject to logging or notice requirements in Conditions XVII.B and XVII.C, a change at a Class II source shall not be subject to revision, notice, or logging requirements under this Section.
[A.A.C. R18-2-317.02.A]
- B. Except as otherwise provided in the Conditions applicable to an emissions cap created under A.A.C. R18-2-306.02, the following changes may be made if the source keeps on site records of the changes according to Appendix 3 of the Arizona Administrative Code:
[A.A.C. R18-2-317.02.B]
1. Implementing an alternative operating scenario, including raw materials changes;

2. Changing process equipment, operating procedures, or making any other physical change if the permit requires the change to be logged;
3. Engaging in any new insignificant activity listed in A.A.C. R18-2-101.68 but not listed in the permit;
4. Replacing an item of air pollution control equipment listed in the permit with an identical (same model, different serial number) item. The Director may require verification of efficiency of the new equipment by performance tests; and
5. A change that results in a decrease in actual emissions if the source wants to claim credit for the decrease in determining whether the source has a net emissions increase for any purpose. The logged information shall include a description of the change that will produce the decrease in actual emissions. A decrease that has not been logged is creditable only if the decrease is quantifiable, enforceable, and otherwise qualifies as a creditable decrease.

C. Except as provided in the Conditions applicable to an emissions cap created under A.A.C. R18-2-306.02, the following changes may be made if the source provides written notice to the Department in advance of the change as provided below:

[A.A.C. R18-2-317.02.C]

1. Replacing an item of air pollution control equipment listed in the permit with one that is not identical but that is substantially similar and has the same or better pollutant removal efficiency: 7 days. The Director may require verification of efficiency of the new equipment by performance tests;
2. A physical change or change in the method of operation that increases actual emissions more than 10% of the major source threshold for any conventional pollutant but does not require a permit revision: 7 days;
3. Replacing an item of air pollution control equipment listed in the permit with one that is not substantially similar but that has the same or better efficiency: 30 days. The Director may require verification of efficiency of the new equipment by performance tests;
4. A change that would trigger an applicable requirement that already exists in the permit: 30 days unless otherwise required by the applicable requirement;
5. A change that amounts to reconstruction of the source or an affected facility: 7 days. For the purposes of this subsection, reconstruction of a source or an affected facility shall be presumed if the fixed capital cost of the new components exceeds 50% of the fixed capital cost of a comparable entirely new source or affected facility and the changes to the components have occurred over the 12 consecutive months beginning with commencement of construction; and
6. A change that will result in the emissions of a new regulated air pollutant above an applicable regulatory threshold but that does not trigger a new applicable requirement for that source category: 30 days. For purposes of this requirement,

an applicable regulatory threshold for a conventional air pollutant shall be 10% of the applicable major source threshold for that pollutant.

- D.** For each change under Condition XVII.C, the written notice shall be by certified mail or hand delivery and shall be received by the Director the minimum amount of time in advance of the change. Notifications of changes associated with emergency Conditions, such as malfunctions necessitating the replacement of equipment, may be provided with less than required notice, but must be provided as far in advance of the change, or if advance notification is not practicable, as soon after the change as possible. The written notice shall include:

[A.A.C. R18-2-317.02.D]

1. When the proposed change will occur;
2. A description of the change;
3. Any change in emissions of regulated air pollutants; and
4. Any permit term or Condition that is no longer applicable as a result of the change.

- E.** A source may implement any change in Condition XVII.C without the required notice by applying for a minor permit revision under A.A.C. R18-2-319.

[A.A.C. R18-2-317.02.E]

- F.** The permit shield described in A.A.C. R18-2-325 shall not apply to any change made under this Section, other than implementation of an alternate operating scenario under Condition XVII.B.1.

[A.A.C. R18-2-317.02.F]

- G.** Notwithstanding any other part of this Section, the Director may require a permit to be revised for any change that, when considered together with any other changes submitted by the same source under this Section over the term of the permit, constitutes a change under subsection A.A.C. R18-2-317.01.A.

[A.A.C. R18-2-317.02.G]

- H.** If a source change is described under both Conditions XVII.B and C, the source shall comply with Condition XVII.C. If a source change is described under both Condition XVII.C and A.A.C. R18-2-317.01.B, the source shall comply with A.A.C. R18-2-317.01.B.

[A.A.C. R18-2-317.02.H]

- I.** A copy of all logs required under Condition XVII.B shall be filed with the Director within 30 days after each anniversary of the permit issuance date. If no changes were made at the source requiring logging, a statement to that effect shall be filed instead.

[A.A.C. R18-2-317.02.I]

- J.** Logging Requirements

[Arizona Administrative Code, Appendix 3]

1. Each log entry required by a change under Condition XVII.B shall include at least the following information:

- a. A description of the change, including:
 - (1) A description of any process change;
 - (2) A description of any equipment change, including both old and new equipment descriptions, model numbers, and serial numbers, or any other unique equipment ID number; and
 - (3) A description of any process material change.
 - b. The date and time that the change occurred.
 - c. The provision of A.A.C. R18-2-317.02.B that authorizes the change to be made with logging.
 - d. The date the entry was made and the first and last name of the person making the entry.
2. Logs shall be kept for five (5) years from the date created. Logging shall be performed in indelible ink in a bound log book with sequentially number pages, or in any other form, including electronic format, approved by the Director.

XVIII. TESTING REQUIREMENTS

- A.** The Permittee shall conduct performance tests as specified in the permit and at such other times as may be required by the Director.

[A.A.C. R18-2-312.A]

- B.** Operational Conditions during Performance Testing

Performance tests shall be conducted under such Conditions as the Director shall specify to the plant operator based on representative performance of the source. The Permittee shall make available to the Director such records as may be necessary to determine the Conditions of the performance tests. Operations during periods of start-up, shutdown, and malfunction (as defined in A.A.C. R18-2-101) shall not constitute representative Conditions of performance tests unless otherwise specified in the applicable standard.

[A.A.C. R18-2-312.C]

- C.** Performance Tests shall be conducted and data reduced in accordance with the test methods and procedures contained in the Arizona Testing Manual unless modified by the Director pursuant to A.A.C. R18-2-312.B.

[A.A.C. R18-2-312.B]

- D.** Test Plan

At least 14 working days prior to performing a test, the Permittee shall submit a test plan to the Director, which must include the following, in addition to all other applicable requirements, as identified in the Arizona Testing Manual:

[A.A.C. R18-2-312.B]

1. Test duration;

2. Test location(s);
3. Test method(s); and
4. Source operation and other parameters that may affect test results.

E. Stack Sampling Facilities

The Permittee shall provide, or cause to be provided, performance testing facilities as follows:

[A.A.C. R18-2-312.E]

1. Sampling ports adequate for test methods applicable to the facility;
2. Safe sampling platform(s);
3. Safe access to sampling platform(s); and
4. Utilities for sampling and testing equipment.

F. Interpretation of Final Results

Each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the Conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of the results of the three runs shall apply. In the event that a sample is accidentally lost or Conditions occur in which one of the three runs is required to be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological Conditions, or other circumstances beyond the Permittee's control, compliance may, upon the Director's approval, be determined using the arithmetic mean of the results of the other two runs. If the Director or the Director's designee is present, tests may only be stopped with the Director's or such designee's approval. If the Director or the Director's designee is not present, tests may only be stopped for good cause. Good cause includes: forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological Conditions, or other circumstances beyond the Permittee's control. Termination of any test without good cause after the first run is commenced shall constitute a failure of the test. Supporting documentation, which demonstrates good cause, must be submitted.

[A.A.C. R18-2-306.A.3.c and A.A.C. R18-2-312.F]

G. Report of Final Test Results

A written report of the results of performance tests conducted pursuant to 40 CFR 63, shall be submitted to the Director within 60 days after the test is performed. A written report of the results of all other performance tests shall be submitted within 4 weeks after the test is performed, or as otherwise provided in the Arizona Testing Manual. All performance testing reports shall be submitted in accordance with the Arizona Testing Manual and A.A.C. R18-2-312.A.

[A.A.C. R18-2-312.A and B]

H. Extension of Performance Test Deadline

For performance testing required under Condition XVIII.A above, the Permittee may request an extension to a performance test deadline due to a force majeure event as follows:
[A.A.C. R18-2-312.J]

1. If a force majeure event is about to occur, occurs, or has occurred for which the Permittee intends to assert a claim of force majeure, the Permittee shall notify the Director in writing as soon as practicable following the date the Permittee first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline. The notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall be given as soon as practicable.
[A.A.C. R18-2-312.J.1]
2. The Permittee shall provide to the Director a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the Permittee proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure event occurs.
[A.A.C. R18-2-312.J.2]
3. The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Director. The Director shall notify the Permittee in writing of approval or disapproval of the request for an extension as soon as practicable.
[A.A.C. R18-2-312.J.3]
4. Until an extension of the performance test deadline has been approved by the Director under Conditions XVIII.H.1, 2, and 3 above, the Permittee remains subject to the requirements of Section XVIII.
[A.A.C. R18-2-312.J.4]
5. For purposes of this Section XVIII, a “force majeure event” means an event that will be or has been caused by circumstances beyond the control of the Permittee, its contractors, or any entity controlled by the Permittee that prevents it from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the Permittee's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the Permittee.
[A.A.C. R18-2-312.J.5]

XIX. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.
[A.A.C. R18-2-306.A.8.d]

XX. SEVERABILITY CLAUSE

The provisions of this permit are severable. In the event of a challenge to any portion of this permit, or if any portion of this permit is held invalid, the remaining permit Conditions remain valid and in force.

[A.A.C. R18-2-306.A.7]

XXI. PERMIT SHIELD

Compliance with the Conditions of this permit shall be deemed compliance with all applicable requirements identified in the portions of this permit subtitled "Permit Shield". The permit shield shall not apply to minor revisions pursuant to Condition XVI.B of this Attachment and any facility changes without a permit revision pursuant to Section XVII of this Attachment.

[A.A.C. R18-2-317.F, - 320, and -325]

XXII. PROTECTION OF STRATOSPHERIC OZONE

If this source becomes subject to the provisions of 40 CFR Part 82, then the Permittee shall comply with these provisions accordingly.

[40 CFR Part 82]

XXIII. APPLICABILITY OF NSPS/NESHAP GENERAL PROVISIONS

For all equipment subject to a New Source Performance Standard or a National Emission Standard for Hazardous Air Pollutants, the Permittee shall comply with all applicable requirements contained in Subpart A of Title 40, Chapter 60 and Chapter 63 of the Code of Federal Regulation.

[40 CFR Part 60 Subpart A and Part 63 Subpart A]

ATTACHMENT "B": SPECIFIC CONDITIONS

I. FACILITY-WIDE REQUIREMENTS

A. Opacity

1. Instantaneous Surveys and Six-Minute Observations

a. Instantaneous Surveys

Any instantaneous survey required by this permit shall be determined by either option listed in Conditions I.A.1.a(1) and (2):

[A.A.C. R18-2-311.b]

(1) Alternative Method ALT-082 (Digital Camera Operating Technique)

(a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.

(b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.

(2) EPA Reference Method 9 Certified Observer.

[A.A.C. R18-2-306.A.3.c]

b. Six-Minute Observations

Any six-minute observation required by this permit shall be determined by either option listed in Conditions I.A.1.b(1) and (2):

[A.A.C. R18-2-311.b]

(1) Alternative Method ALT-082 (Digital Camera Operating Technique)

(a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.

(b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.

(2) EPA Reference Method 9.

c. The Permittee shall have on site or on call a person certified in EPA Reference Method 9 unless all 6-minute Method 9 observations required by this permit are conducted as a 6-minute Alternative Method-082 (Digital Camera Operating Technique) and all instantaneous visual surveys required by this permit are conducted as an instantaneous Alt-082 camera survey. Any 6-minute Method 9 observation required by this permit can be conducted as a 6-minute Alternative Method-082 and any

instantaneous visual survey required by this permit can be conducted as an instantaneous Alt-082 camera survey.

[A.A.C. R18-2-306.A.3.c]

2. Monitoring, Recordkeeping, and Reporting Requirements

[A.A.C. R18-2-306.A.3.c]

- a. At the frequency specified in the following sections of this permit, the Permittee shall conduct an instantaneous survey of visible emissions from both process stack sources, when in operation, and fugitive dust sources.
- b. If the visible emissions on an instantaneous basis appears less than or equal to the applicable opacity standard, then the Permittee shall keep a record of the name of the observer, the date on which the instantaneous survey was made, and the results of the instantaneous survey.
- c. If the visible emissions on an instantaneous basis appears greater than the applicable opacity standard, then the Permittee shall immediately conduct a six-minute observation of the visible emissions.
 - (1) If the six-minute observation of the visible emissions is less than or equal to the applicable opacity standard, then the Permittee shall record the name of the observer, the date on which the six-minute observation was made, and the results of the six-minute observation.
 - (2) If the six-minute observation of the visible emissions is greater than the applicable opacity standard, then the Permittee shall do the following:
 - (a) Adjust or repair the controls or equipment to reduce opacity to less than or equal to the opacity standard;
 - (b) Record the name of the observer, the date on which the six-minute observation was made, the results of the six-minute observation, and all corrective action taken; and
 - (c) Report the event as an excess emission for opacity in accordance with Condition XII.A of Attachment "A".
 - (d) Conduct another six-minute observation to document the effectiveness of the adjustments or repairs completed.

- B.** The Permittee shall operate all equipment identified in Attachment "C" in accordance with vendor-supplied operations and maintenance instructions. If vendor-supplied operations and maintenance instructions are not available, the Permittee shall prepare an Operation and Maintenance Plan, which provides adequate information to properly operate and maintain the these equipment in good working order. In the absence of vendor-supplied operations and maintenance instructions, the Permittee shall operate the equipment in accordance with the Operation and Maintenance Plan.

[A.A.C. R18-2-306.A.2]

- C. The Permittee shall maintain, on-site, records of the manufacturer's specifications, and operation & maintenance instructions, or Operation and Maintenance Plan developed by the Permittee for all process and control equipment listed in Attachment "C".
[A.A.C. R18-2-306.A.4]
- D. The Permittee shall submit reports of all monitoring activities required in Attachment "B" along with the compliance certifications required by Section VII of Attachment "A."
[A.A.C. R18-2-306.A.5]
- E. The Permittee shall keep records of the periods (start and end dates) when the internal floating roof tank is utilized for storing diesel and denatured ethanol.
[A.A.C. R18-2-306.A.4]

II. DENATURED ETHANOL STORAGE TANK

A. Applicability

This Section applies to the internal floating roof (IFR) storage tank identified in Attachment "C", when used for storing denatured ethanol.

B. Notification Requirements

The Permittee shall notify the Director in writing at least 30 days prior to the filling or refilling of the storage vessel for which an inspection is required by Conditions II.C.3.a and II.C.3.b(1) of this Attachment to afford the Director the opportunity to have an observer present. If the inspection required by Condition II.C.3.b(1) of this Attachment is not planned and the Permittee could not have known about the inspection 30 days in advance or refilling the tank, the Permittee shall notify the Director at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Director at least 7 days prior to the refilling.

[40 CFR 60.113b(a)(5)]

C. Volatile Organic Compounds

1. Standards

The storage tanks shall meet the following specifications:

- a. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

[40 CFR 60.112b(a)(1)(i)]

- b. Each internal floating roof shall be equipped with two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

[40 CFR 60.112b(a)(1)(ii)(B)]

- c. Each opening in a non-contact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

[40 CFR 60.112b(a)(1)(iii)]

- d. Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

[40 CFR 60.112b(a)(1)(iv)]

- e. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

[40 CFR 60.112b(a)(1)(v)]

- f. Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

[40 CFR 60.112b(a)(1)(vi)]

- g. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

[40 CFR 60.112b(a)(1)(vii)]

- h. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

[40 CFR 60.112b(a)(1)(viii)]

- i. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

[40 CFR 60.112b(a)(1)(ix)]

2. Air Pollution Control

All pumps and compressors, which handle volatile organic compounds, shall be equipped with mechanical seals or other equipment of equal efficiency to prevent the release of organic contaminants into the atmosphere.

[A.A.C. R18-2-905.3, A.A.C. R18-2-331.A.3.e]

[Material Permit Condition is indicated by underline and italics]

3. Testing and Procedures

- a. The Permittee shall visually inspect the internal floating roof, the primary seal, and the secondary seal, prior to filling the storage vessel with volatile organic liquid (VOL). If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

[40 CFR 60.113b(a)(1)]

- b. The Permittee shall perform visual inspection at least every 5 years as provided in Condition II.C.3.b(1) below, or, visually inspect the vessel as per Condition II.C.3.b(2) below:

[40 CFR 60.113b(a)(3)]

- (1) The Permittee shall inspect the vessel at least every 5 years. The Permittee shall visually inspect the internal floating roof, the primary seal, the secondary seal, gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the Permittee shall repair the items as necessary so that none of the Conditions specified in this Condition exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as per Condition II.C.3.b(2) below,

[40 CFR 60.113b(a)(4)]

- (2) The Permittee shall visually inspect the internal floating roof and the primary seal or the secondary seal through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the Permittee shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this Condition cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested

from the Director in the inspection report required in Condition II.C.4.d of this Attachment. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

[40 CFR 60.113b(a)(2)]

4. Monitoring, Record Keeping and Reporting Requirements

- a. The Permittee shall keep readily accessible records showing the dimension of the storage tank and an analysis showing the capacity of the storage vessel.

[40 CFR 60.116b(b)]

- b. After installing control equipment in accordance with Condition II.C.1 of this Attachment, the Permittee shall furnish the Director with a report that describes the control equipment and certifies that the control equipment meets the requirements in Conditions II.C.1 and II.C.3.a of this Attachment. This report shall be an attachment to the notification required by 40 CFR 60.7(a)(3).

[40 CFR 60.115b(a)(1)]

- c. The Permittee shall keep a record of each inspection performed as required by Conditions II.C.3.a and II.C.3.b of this Attachment. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed Condition of each component of the control equipment (seals, internal floating roof, and fittings).

[40 CFR 60.115b(a)(2)]

- d. If any of the Conditions described in Condition II.C.3.b(2) are detected during the annual visual inspection, a report shall be furnished to the Director within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

[40 CFR 60.115b(a)(3)]

- e. After each inspection required by Condition II.C.3.b of this Attachment that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in Condition II.C.3.b(2), a report shall be furnished to the Director within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of Conditions II.C.1 or II.C.3.b of this Attachment and list each repair made.

[40 CFR 60.115b(a)(4)]

- f. Reports and records required under Condition II.C.4.a above shall be maintained for the life of the control equipment. All other records shall be maintained for at least 2 years.

[40 CFR 60.115b, 40 CFR 60.116b(a)]

D. Permit Shield

Compliance with the Conditions of this Section shall be deemed compliance with 40 CFR 60.112b(a)(1)(i), 60.112b(a)(1)(ii)(B), 60.112b(a)(1)(iii), 60.112b(a)(1)(iv), 60.112b(a)(1)(v), 60.112b(a)(1)(vi), 60.112b(a)(1)(vii), 60.112b(a)(1)(viii), 60.112b(a)(1)(ix), 60.113b(a)(1), 60.113b(a)(2), 60.113b(a)(3), 60.113b(a)(4), 60.113b(a)(5), 60.115b, 60.115b(a)(1), 60.115b(a)(2), 60.115b(a)(3), 60.115b(a)(4), 60.116b(a), and 60.116b(b).

[A.A.C. R18-2-325]

III. DIESEL STORAGE TANKS, TRANSLOADER UNIT AND LOADING RACKS

A. Applicability

This Section is applicable to:

1. Diesel Storage tank and Internal Floating Roof tank when used for storing diesel;
2. Transloader units for diesel, biodiesel, Jet A fuel; and
3. Loading racks for diesel, biodiesel, Jet A fuel.

B. Particulate Matter and Opacity

1. Emission Limitations/Standards

- a. The Permittee shall not cause or permit the emission of particulate matter discharged into the atmosphere in any one hour from the affected units in excess of the amounts calculated by one of the following equations:

- (1) For process sources having a process weight rate of 60,000 pounds per hour (30 tons per hour) or less, the maximum allowable emissions shall be determined by the following equation:

[A.A.C. R18-2-730.A.1]

$$E = 4.10P^{0.67}$$

where:

E= the maximum allowable particulate emissions rate in pounds-mass per hour.

P= the process weight rate in tons-mass per hour.

- (2) For process weight rate greater than 60,000 pounds per hour (30 tons per hour), the maximum allowable emissions shall be determined by the following equation:

$$E = 55.0P^{0.11} - 40$$

where "E" and "P" are defined as indicated in (1) above.

- b. For purposes of this Section, the total process weight from all similar units employing a similar type process shall be used in determining the maximum allowable emission of particulate matter.
[A.A.C. R18-2-730.B]

- c. The opacity of any plume or effluent from the affected units shall not be greater than 20 percent.
[A.A.C. R 18-2-702.B]

2. Monitoring, Reporting, and Record keeping Requirements

A certified EPA Reference Method 9 observer shall conduct a monthly survey of visible emissions emanating from affected equipment in Condition III.A. The Permittee shall keep records of the type of observation performed, emission unit, name of observer, date, time of observation, location and the results of the observation. If the opacity of the emissions observed appears to exceed the opacity standard, the observer shall conduct a certified EPA Reference Method 9 observation. Upon completion of the survey and observation the Permittee shall record the corrective action taken (if applicable). These records shall be made available to the ADEQ inspector upon request. For all instances of an exceedance of the opacity standard, the Permittee shall submit excess emission reports in accordance with Condition XII.A.1 of Attachment "A".

[A.A.C. R18-2-306.A.3.c]

3. Permit Shield

Compliance with this Part shall be deemed compliance with A.A.C. R18-2-730.A.1, A.A.C. R18-2-730.B, and A.A.C. R18-2-702.B.

[A.A.C. R18-2-325]

C. Volatile Organic Compounds (VOCs)

1. The Permittee shall not emit gaseous or odorous materials from equipment, operations or premises under his control in such quantities or concentrations as to cause air pollution.

[A.A.C. R18-2-730.D]

2. Materials including solvents or other volatile compounds, and other chemicals utilized in the processes under this Section shall be processed, stored, used, and transported in such a manner and by means that they will not evaporate, leak, escape or be otherwise discharged into the ambient air so as to cause or contribute to air pollution. Where means are available to reduce effectively the contribution to air pollution from evaporation, leakage or discharge, the installation and use of such control methods, devices, or equipment shall be mandatory.

[A.A.C. R18-2-730.F]

3. Where a stack, vent or other outlet is at such a level that fumes, gas mist, odor, smoke, vapor or any combination thereof constituting air pollution is discharged to adjoining property, the Director may require the installation of abatement

equipment or the alteration of such stack, vent, or other outlet by the Permittee to a degree that will adequately dilute, reduce or eliminate the discharge of air pollution to adjoining property.

[A.A.C. R18-2-730.G]

4. Permit Shield

Compliance with this Part shall be deemed compliance with A.A.C. R18-2-730.D, A.A.C. R18-2-730.F, and A.A.C. R18-2-730.G.

[A.A.C. R18-2-325]

D. Sulfur Dioxide (SO₂)

1. The Permittee shall not cause or permit the emissions of SO₂ from the vapor combustion unit at rate greater than 600 parts per million.

[A.A.C. R18-2-730.A.2]

2. Permit Shield

Compliance with the terms of Condition III.D.1 of this Attachment shall be deemed compliance with A.A.C. R18-2-730.A.2.

[A.A.C. R18-2-325]

E. Nitrogen Oxides (NO₂)

1. The Permittee shall not cause or permit the emissions of nitrogen oxides (expressed as NO₂) from the vapor combustion unit at rate greater than 500 parts per million.

[A.A.C. R18-2-730.A.3]

2. Permit Shield

Compliance with the terms of Condition III.E.1 of this Attachment shall be deemed compliance with A.A.C. R18-2-730.A.2.

[A.A.C. R18-2-325]

IV. REQUIREMENTS FOR DENATURED ETHANOL, ISOBUTANOL AND GASOLINE HANDLING

A. Applicability

1. This Section applies to denatured ethanol bulk loading racks, vapor collection-equipped denatured ethanol cargo tanks (denatured ethanol tank trucks), loading racks for the loading of isobutanol into trucks containing gasoline, and associated flare systems.

B. Air Pollution Control Requirements

1. *The Permittee shall install, operate and maintain a closed vent system to collect Volatile Organic Compound (VOC) Vapors and gases discharged from the loading of denatured ethanol and gasoline-containing trucks and shall route them through a flare or Vapor Combustion Unit (VCU).*

[A.A.C. R18-2-306.A.2 and 331.A.3.a]

[Material Permit Conditions are indicated with an underline and italics]

2. *At all times, when emissions are vented to flare, including periods of start-up, shutdown, and malfunction, the Permittee shall maintain and operate the flare in a manner consistent with good air pollution control practice for minimizing VOC emission associated with loading operations.*

[A.A.C. R18-2-306.A.2 and -331.A.3.c]

[Material Permit Condition is indicated by underline and italics]

V. DIESEL FIRED TRANSLOADER PUMP

A. Applicability

This Section applies to the diesel fired transloader pump identified as subject to NESHP in Attachment "C".

B. Particulate Matter and Opacity

1. Emissions Limitations and Standards

- a. The Permittee shall not cause, allow or permit the emission of particulate matter, caused by combustion of fuel, from any stationary rotating machinery into the atmosphere in excess of the amounts calculated by the following equation:

[A.A.C. R18-2-719.C.1]

$$E = 1.02Q^{0.769}$$

Where

E = the maximum allowable particulate emission rate in pounds-mass per hour

Q = the heat input in million Btu per hour

- b. The Permittee shall not cause, allow or permit to be emitted into the atmosphere from any stationary rotating machinery, smoke for any period greater than 10 consecutive seconds which exceeds 40% opacity. Visible emissions when starting cold equipment shall be exempt from this requirement for the first 10 minutes.

[A.A.C. R18-2-719.E]

2. Monitoring, Reporting, and Recordkeeping Requirements

- a. The Permittee shall conduct a monthly monitoring of visible emissions from the engines when in operation as per the periodic opacity monitoring requirements specified in Condition I.A of this Attachment.

[A.A.C. R18-2-306.A.3.c]

- b. The Permittee shall keep records of fuel supplier certifications or other documentation containing information regarding lower heating value of the fuel. These records shall be made available to ADEQ upon request.
[A.A.C. R18-2-306.A.3.c and -719.I]

3. Permit Shield

Compliance with this Part shall be deemed compliance with A.A.C. R18-2-719.B, A.A.C. R18-2-719.C.1, A.A.C. R18-2-719.E, and A.A.C. R18-2-719.I.
[A.A.C. R18-2-325]

C. Sulfur Dioxide

1. Emission Limitations and Standards

- a. The Permittee shall not emit or cause to emit more than 1.0 pound of sulfur dioxide per million Btu heat input.
[A.A.C. R18-2-719.F]
- b. The Permittee shall not burn high sulfur diesel fuel (sulfur content greater than 0.9 % by weight) in the engine.
[A.A.C. R18-2-719.H]

2. Monitoring, Recordkeeping, and Reporting Requirements

- a. The Permittee shall keep records of fuel supplier certifications or other documentation to demonstrate compliance with the sulfur content limit specified in Condition V.C.1.b above. The certification shall contain the sulfur content of the fuel. These records shall be made available to ADEQ upon request.
[A.A.C. R18-2-306.A.3.c and A.A.C. R18-2-719.I]
- b. The Permittee shall report to the Director any daily period during which the sulfur content of the fuel being fired in the engine exceeds 0.8%.
[A.A.C. R18-2-719.J]

3. Permit Shield

Compliance with the Conditions of this Part shall be deemed compliance with A.A.C. R18-2-719.F, A.A.C. R18-2-719.H, A.A.C. R18-2-719.I, and A.A.C. R18-2-719.J.
[A.A.C. R18-2-325]

D. National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements

1. General Operating Limitations/Requirements

- a. At all times, the Permittee shall operate and maintain the engines, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize

emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator and the Director which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.6605(b)]

- b. The Permittee shall operate and maintain the engines and after control device, if any, in accordance with manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 63.6625(e)]

- c. The Permittee shall

- (1) Change oil and filter every 1,000 hours of operation or annually, whichever comes first;
- (2) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and
- (3) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

[40 CFR 63.6603, 40 CFR 63 Subpart ZZZZ Table 2d Item 1]

- d. The Permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirements in Condition V.D.1.c(1) above. The oil analysis shall be performed at the same frequency specified for changing the oil. The analysis program must at a minimum analyze total Base Number, viscosity; and percent water content. The condemning limits for these parameters are as follows:

[40 CFR §63.6625(i)]

- (1) Total Base Number is less than 30 percent of the Total Base Number of the oil when new;
- (2) Viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or
- (3) Percent water content (by volume) is greater than 0.5.

If all of the above limits are not exceeded, the Permittee is not required to change the oil. If any of the limits are exceeded, the Permittee must change the oil within 2 days of receiving the results of the analysis, or before commencing operation, whichever is later. The analysis program shall be part of the maintenance plan for the engine.

- e. The Permittee shall minimize the engine's time at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.

[40 CFR 63.6625(h)]

2. Compliance Demonstration

The Permittee shall demonstrate continuous compliance by operating and maintaining the engines according to the manufacturer's emission-related operation and maintenance instructions; or by developing and following own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 63.6640(a), 40 CFR 63 Subpart ZZZZ-Table 6, Item 9]

3. Reporting and Recordkeeping requirements

- a. The Permittee shall report each instance in which the Permittee did not meet each operating limitation in Condition V.D.1 of this Attachment. If a deviation from an operating limitation occurs during the reporting period, the following additional information shall be provided:

[40 CFR 63.6640(b), 40 CFR 63.6650 (d)]

- (1) The total operating time of the engine at which the deviation occurred during the reporting period.
- (2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken

- b. The Permittee shall keep records of the following:

- (1) Records of the occurrence and duration of each malfunction of operation and monitoring equipment.

[40 CFR 63.6655(a)(2)]

- (2) Records of actions taken during periods of malfunction, including corrective actions to restore malfunctioning process and monitoring equipment to its normal or usual manner of operation.

[40 CFR 63.6655(a)(5)]

- (3) Records required in Condition V.D.2 above demonstrating continuous compliance with each operating limitation.

[40 CFR 63.6655(d)]

- (4) Records of the maintenance conducted on the engines in order to demonstrate that the facility operated and maintained the engine and after-treatment control device (if any) according to the Permittee's own maintenance plan.

[40 CFR 63.6655(e)]

- (5) Records of the parameters that are analyzed under the oil analysis program in Conditions V.D.1.d of this Attachment, the results of the analysis, the oil changes for the engine, and replacement of hoses and belts.

[40 CFR 63.6625(i)]

4. Permit Shield

Compliance with the Conditions of this Part shall be deemed compliance with. 40 CFR 63.6605(b), 63.6603, 63.6625(e), 63.6625(i), 63.6625(h), 63.6640(a), 63.6640(b)

[A.A.C. R18-2-325]

VI. DIESEL FIRED TRANSLOADER ENGINE SUBJECT TO NEW SOURCE PERFORMANCE STANDARDS (NSPS)

A. Applicability

This Section applies to the Diesel-fired Transloader Pump Engine identified as subject to NSPS in Attachment "C".

B. Operating Requirements

1. The Permittee shall operate and maintain the CI-ICE and any control device according to the manufacturer's emission-related written instructions.

[40 CFR 60.4211(a)(1) and A.A.C. R18-2-306.A.3]

2. The Permittee shall change only those emission-related settings that are permitted by the manufacturer, or demonstrate compliance in accordance with Condition VI.F.3.

[40 CFR 60.4211(a)(2)]

3. The Permittee shall meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply.

[40 CFR 60.4211(a)(3)]

4. The Permittee shall not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 kW (25 HP) and less than 56 kW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

[40 CFR 60.4208(c)]

5. The Permittee shall not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 kW (75 HP) and less than 130 kW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

[40 CFR 60.4208(d)]

6. The Permittee shall operate and maintain the CI-ICE to comply with the emission standards as required in Condition VI.D over the entire life of the engine.

[40 CFR 60.4206]

C. Fuel Requirements

The Permittee operating a stationary CI ICE shall use diesel fuel that meets the requirements of non-road diesel fuel listed in 40 CFR 80.510(b) and listed below:

1. Sulfur content: 15 ppm maximum; and
2. A minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.

[40 CFR 60.4207(b)]

D. Emission Limitations and Standards

The Permittee operating a 2007 model year and later non-emergency stationary engine with a displacement of less than 30 liters per cylinder shall comply with the emission standards for new engines in 40 CFR 60.4201 for their 2007 model year and later stationary engines, as applicable.

[40 CFR 60.4204(b)]

E. Air Pollution Control Requirements

If the engine is equipped with a diesel particulate filter, the Permittee shall install, operate and maintain the particulate filter in accordance with good air pollution control practices for minimizing emissions.

[A.A.C. R18-2 -331.A.3.d and e]

[Material permit conditions are indicated by underline and italics]

F. Compliance Requirements

1. The Permittee shall only use a certified engine. The Permittee shall install and configure the engine to the manufacturer's specifications.
2. The Permittee shall maintain a copy of engine certifications or other documentation demonstrating that each engine complies with the applicable standards in this Permit, and shall make the documentation available to ADEQ upon request.

[40 CFR 60.4211(c)]

[A.A.C. R18-2-306.A.4]

3. If the Permittee does not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, or changes emission-related settings in a way that is not permitted by the manufacturer, the Permittee shall keep a maintenance plan and records of conducted maintenance to demonstrate compliance and shall, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if the Permittee does not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or changes the emission-related settings in a way that is not permitted by the manufacturer, the Permittee shall conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

[40 CFR 60.4211(g)(1)]

G. Monitoring and Recordkeeping

1. *If the engine is equipped with a diesel particulate filter to comply with the particulate emission standards, the Permittee shall install a backpressure monitor that notifies the Permittee when the high backpressure limit of the engine is approached.*

[40 CFR 60.4209(b) and A.A.C. R18-2-331.a.3.c]

[Material permit conditions are indicated by underline and italics]

2. If the engine is equipped with a diesel particulate filter, the Permittee shall keep records of any corrective action taken after the backpressure monitor has notified the Permittee that the high backpressure limit of the engine is approached.

[40 CFR 60.4214(c)]

H. Permit Shield

Compliance with the terms of this Section shall be deemed compliance with 40 CFR 60.4204(b), 60.4206, 60.4207(b), 60.4208(c) & (d), 60.4209(b), 60.4211(a), (c), & (g)(1) and 60.4214(c).

[A.A.C. R18-2-325]

VII. FUGITIVE DUST REQUIREMENTS

A. Applicability

Section VII applies to any non-point source of fugitive dust in the facility.

B. Particulate Matter and Opacity

Open Areas, Roadways & Streets, Storage Piles, and Material Handling

1. Emission Limitations/Standards

- a. Opacity of emissions from any fugitive dust non-point source shall not be greater than 40%.

[A.A.C. R18-2-614]

- b. The Permittee shall employ the following reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne:

- (1) Keep dust and other types of air contaminants to a minimum in an open area where construction operations, repair operations, demolition activities, clearing operations, leveling operations, or any earth moving or excavating activities are taking place, by good modern practices such as using an approved dust suppressant or adhesive soil stabilizer, paving, covering, landscaping, continuous wetting, detouring, barring access, or other acceptable means;

[A.A.C. R18-2-604.A]

VII. FUGITIVE DUST REQUIREMENTS

- (2) Keep dust to a minimum from driveways, parking areas, and vacant lots where motor vehicular activity occurs by using an approved dust suppressant, or adhesive soil stabilizer, or by paving, or by barring access to the property, or by other acceptable means;
[A.A.C. R18-2-604.B]
- (3) Keep dust and other particulates to a minimum by employing dust suppressants, temporary paving, detouring, wetting down or by other reasonable means when a roadway or alley is used, repaired, constructed, or reconstructed;
[A.A.C. R18-2-605.A]
- (4) Take reasonable precautions, such as the use of spray bars, wetting agents, dust suppressants, covering the load, and hoods to prevent excessive amounts of particulate matter from becoming airborne when crushing, screening, handling, transporting or conveying of materials or other operations likely to result in significant amounts of airborne dust.
[A.A.C. R18-2-605.B]
- (5) Take reasonable precautions, such as wetting, applying dust suppressants, or covering the load when transporting material likely to give rise to airborne dust. Earth or other material that is deposited by trucking or earth moving equipment shall be removed from paved streets by the person responsible for such deposits.
[A.A.C. R18-2-606]
- (6) Take reasonable precautions such as chemical stabilization, wetting, or covering when organic or inorganic dust producing material is being stacked, piled, or otherwise stored to prevent excessive amounts of particulate matter from becoming airborne;
[A.A.C. R18-2-607.A]
- (7) Operate stacking and reclaiming machinery utilized at storage piles at all times with a minimum fall of material, or with the use of spray bars and wetting agents to prevent excessive amounts of particulate matter from becoming airborne;
[A.A.C. R18-2-607.B]
- (8) Any other method as proposed by the Permittee and approved by the Director.
[A.A.C. R18-2-306.A.3.c]

2. Air Pollution Control Requirements

Unpaved Roads and Storage Piles

Water, or an equivalent control, shall be used to control visible emissions from haul roads and storage piles.

[A.A.C. R18-2-306.A.2 and -331.A.3.d]

[Material Permit Condition is indicated by underline and italics]

3. Monitoring and Recordkeeping Requirements

- a. The Permittee shall maintain records of the dates on which any of the activities listed in Condition VII.B.1.b above were performed and the control measures that were adopted.

[A.A.C. R18-2-306.A.3.c]

b. Opacity Monitoring Requirements

Each month, the Permittee shall monitor visible emissions from fugitive sources in accordance with Condition I.A.

[A.A.C. R18-2-306.A.3.c]

C. Permit Shield

Compliance with Section VII shall be deemed compliance with A.A.C. R18-2-604, -605, -606, 607, -608, -614, and -804.B.

[A.A.C. R18-2-325]

VIII. OTHER PERIODIC ACTIVITIES

A. Abrasive Blasting

1. Particulate Matter and Opacity

a. Emission Limitations/Standards

The Permittee shall not cause or allow sandblasting or other abrasive blasting without minimizing dust emissions to the atmosphere through the use of good modern practices. Good modern practices include:

[A.A.C. R18-2-726]

- (1) Wet blasting;
- (2) Effective enclosures with necessary dust collecting equipment; or
- (3) Any other method approved by the Director.

b. Opacity

The Permittee shall not cause, allow or permit visible emissions from sandblasting or other abrasive blasting operations in excess of 20% opacity.

[A.A.C. R18-2-702.B.3]

2. Monitoring and Recordkeeping Requirement

Each time an abrasive blasting project is conducted, the Permittee shall make a record of the following:

[A.A.C. R18-2-306.A.3.c]

- a. The date the project was conducted;
- b. The duration of the project; and
- c. Type of control measures employed.

3. Permit Shield

Compliance with Condition VIII.A.1.a shall be deemed compliance with A.A.C. R18-2-702.B.3 and -726.

[A.A.C.R18-2-325]

B. Use of Paints

1. Volatile Organic Compounds

a. Emission Limitations/Standards

While performing spray painting operations, the Permittee shall comply with the following requirements:

- (1) The Permittee shall not conduct or cause to be conducted any spray painting operation without minimizing organic solvent emissions. Such operations, other than architectural coating and spot painting, shall be conducted in an enclosed area equipped with controls containing no less than 96 percent of the overspray.

[A.A.C.R18-2-727.A]

- (2) The Permittee or their designated contractor shall not either:

- (a) Employ, apply, evaporate, or dry any architectural coating containing photochemically reactive solvents for industrial or commercial purposes; or
- (b) Thin or dilute any architectural coating with a photochemically reactive solvent.

[A.A.C.R18-2-727.B]

- (3) For the purposes of Condition VIII.B.1.a(1), a photochemically reactive solvent shall be any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified in Condition VIII.B.1.a(2), or which exceeds any of the following percentage composition limitations, referred to the total volume of solvent:

[A.A.C.R18-2-727.C]

- (a) A combination of the following types of compounds having an olefinic or cyclo-olefinic type of unsaturation-hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones: 5 percent.
- (b) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.
- (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.
- (4) Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the groups of organic compounds described in Condition VIII.B.1.a(2), it shall be considered to be a member of the group having the least allowable percent of the total volume of solvents.

[A.A.C.R18-2-727.D]

b. Monitoring and Recordkeeping Requirements

- (1) Each time a spray painting project is conducted, the Permittee shall make a record of the following:
 - (a) The date the project was conducted;
 - (b) The duration of the project;
 - (c) Type of control measures employed;
 - (d) Safety Data Sheets (SDS) for all paints and solvents used in the project; and
 - (e) The amount of paint consumed during the project.
- (2) Architectural coating and spot painting projects shall be exempt from the recordkeeping requirements of Condition VIII.B.1.b(1).

[A.A.C. R18-2-306.A.3.c]

c. Permit Shield

Compliance with Condition VIII.B.1.a shall be deemed compliance with A.A.C.R18-2-727.

[A.A.C.R18-2-325]

2. Opacity

a. Emission Limitation/Standard

The Permittee shall not cause, allow or permit visible emissions from painting operations in excess of 20% opacity.

[A.A.C. R18-2-702.B.3]

b. Permit Shield

Compliance with Condition VIII.B.2.a shall be deemed compliance with A.A.C.R18-2-702.B.3.

[A.A.C. R18-2-325]

C. Demolition/Renovation - Hazardous Air Pollutants

1. Emission Limitation/Standard

The Permittee shall comply with all of the requirements of 40 CFR 61 Subpart M (National Emissions Standards for Hazardous Air Pollutants - Asbestos).

[A.A.C. R18-2-1101.A.12]

2. Monitoring and Recordkeeping Requirement

The Permittee shall keep all required records in a file. The required records shall include the "NESHAP Notification for Renovation and Demolition Activities" form and all supporting documents.

[A.A.C. R18-2-306.A.3.c]

3. Permit Shield

Compliance with the Condition VIII.C.1 shall be deemed compliance with A.A.C. R18-2-1101.A.12.

[A.A.C. R18-2-325]

ATTACHMENT “C”: EQUIPMENT LIST

EQUIPMENT TYPE	MAX. CAPACITY	MAKE	MODEL	SERIAL NUMBER	INSTALLATION/ MFG. DATE	A.A.C. / NSPS / NESHAP
Diesel Tank, Fixed Roof	30,000 barrels	TANCO	N/A	Tank #5	2006	No
Ethanol Tank Internal Floating Roof (IFR)	20,000 barrels	Strobel	N/A	Tank #4	2001	NSPS Kb
Truck Loading Rack VCU	2,400 GPM	John Zink	LHT-1.5-12-20-X-1/6	VCU	2006	No
Transloader (Diesel powered)	75 HP	Deutz	F2L2011/5DZXL03.1041	Transloader	2005	NESHAP ZZZZ
Transloader (Diesel powered)	64 HP	Deutz	D2011L04i/ BDZXL03.6081	Transloader	2011	NSPS IIII
Transloader (Diesel powered)	74-HP	HATZ	4H50TIC	Transloader	2018	NSPS IIII
Portable Flare	3,200 GPM	John Zink	LH6	9100935	TBD	No